



State Statutes Series 2004

The Rights of Presumed (Putative) Fathers: Summary of State Laws

Constitutional Rights

In the decades since 1960, out-of-wedlock births have increased dramatically. While much research on childbearing trends and the characteristics of unwed mothers exists, very little is known about putative fathers, the alleged or reputed fathers of children born out-of-wedlock. However, there is an expanding population of putative fathers who wish to play a role in their children's upbringing. Consequently, their legal rights have become increasingly important.

Putative fathers have had fewer rights with regard to their children than either unwed mothers or married parents. Over the past several decades, putative fathers have used the Fourteenth Amendment to challenge the termination of their parental rights when the birth mother relinquishes their child for adoption. Nevertheless, States have almost complete discretion to determine the rights of a putative father at proceedings to terminate parental rights or adoption proceedings.

The U.S. Supreme Court has affirmed the constitutional protection of a putative father's parental rights when he has established a substantial relationship with his child. The Court defined a substantial relationship as the existence of a biological link between the child and putative father, and it defined the father's commitment to the responsibilities of parenthood as participating in the child's upbringing.¹

Several critical concerns, however, have been unresolved by the Court. For instance, when an infant is placed for adoption at birth, the putative father can have no more than a biological link to his child; he never received an opportunity to develop a substantial relationship with his child. The Court has yet to rule on what this putative father must do to protect his parental rights. Consequently, there is a lack of uniformity among States as to the level of protection available to unwed fathers.²

¹ *Stanley v. Illinois*, 405 U.S. 645 (1972); *Quilloin v. Walcott*, 434 U.S. 246 (1978); *Caban v. Mohammed*, 441 U.S. 380 (1979); *Lehr v. Robertson*, 463 U.S. 248 (1983).

² This summary is limited to a putative father's right to notice of adoption or termination proceedings when the child is relinquished for adoption at birth or shortly thereafter.



Putative Father Registries

In almost all jurisdictions, putative fathers are entitled to notice of proceedings to terminate parental rights or adoption proceedings. States generally require a putative father to register on the putative father registry or acknowledge paternity within a certain timeframe in order to receive notice of such proceedings.³

Approximately⁴ 23 States⁵ have statutes authorizing the establishment of putative father registries. Several States⁶, however, only mandate by law that a putative father file a notice of his paternity claim within a certain period of time. Failure to register or file may preclude the right to notice of termination or adoption proceedings.

Information Included in Registries

States differ in the information they maintain in their registries, although it may include:

- Name, address, social security number, and date of birth of putative father and birth mother
- Name and address of any person adjudicated by a court to be the father
- Child's name and date of birth or expected month and year of birth
- Registration date
- Other information deemed necessary

Revocation of Claim

Approximately 22 States⁷ make provisions in their statutes that allow putative fathers to revoke or rescind a notice of intent to claim paternity. Of these States, approximately 12 allow revocation at any time,⁸ while revocation is effective only after the child's birth in Arkansas and Iowa, and Florida only allows revocation at any time prior to the child's birth. Other States⁹ limit the right of rescission to 60 days after the paternity claim is submitted or prior to a court proceeding to establish paternity, whichever occurs first. Most States will accept a written, notarized statement for rescission. Washington, however, requires a court proceeding for revocation of a claim.

³ Situations in which the birth mother and putative father reside in different States may be complicated by the variability in State adoption law regarding putative father registration or acknowledgment.

⁴ The word *approximately* is used to stress the fact that the States frequently amend their laws, so this information is current only through October 2004.

⁵ Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Mexico, New York, Ohio, Oklahoma, Tennessee, Texas, and Wyoming.

⁶ Alaska, Arkansas, California, Colorado, Connecticut, Hawaii, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nevada, New Jersey, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Washington, West Virginia, and Wisconsin.

⁷ Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Indiana, Iowa, Maine, Missouri, Montana, Nebraska, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Washington, and Wyoming.

⁸ Alabama, Delaware, Indiana, Missouri, Montana, Nebraska, New Mexico, New York, Oklahoma, Tennessee, Texas, and Wyoming.

⁹ Alaska, Connecticut, Georgia, Maine, Oregon, Pennsylvania, and Washington.

Access to Information

Access to information maintained in registries also varies from State to State. Many jurisdictions permit certain persons access to registry records. In general, these are people with a direct interest in a case. Typically, persons entitled to access include:

- Birth mothers¹⁰
- Courts¹¹
- Attorneys¹²
- Licensed adoption agencies¹³
- Prospective adoptive parents¹⁴
- State departments or divisions of social services¹⁵
- State offices of child support enforcement¹⁶
- Any other person upon a court order for good cause shown¹⁷
- Registries of other States¹⁸

This publication is a product of the State Statutes Series prepared by the National Adoption Information Clearinghouse (NAIC). While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

Electronic copies of this publication may be downloaded from the Clearinghouse website at <http://naic.acf.hhs.gov/general/legal/statutes/putative.cfm>.

- To find statute information for a particular State, go to <http://naic.acf.hhs.gov/general/legal/statutes/search> and select the specific State and topic.
- To find information on all of the States and territories, view the complete PDF at <http://naic.acf.hhs.gov/general/legal/statutes/putativeall.pdf> or call the Clearinghouse at (888) 251-0075 or (703) 352-3488 to order a copy.

¹⁰ Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Mexico, Ohio, Oregon, Texas, Washington, and Wisconsin.

¹¹ Alabama, Arizona, Delaware, Florida, Indiana, Iowa, Louisiana, Missouri, New Mexico, New York, Oklahoma, Texas, Washington, and Wyoming.

¹² Arizona, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, New Mexico, Ohio, and Texas.

¹³ Arizona, Delaware, Georgia, Indiana, Louisiana, Missouri, Montana, New Mexico, New York, Ohio, Oklahoma, Texas, and Wyoming.

¹⁴ Delaware, Florida, Illinois, Indiana, Montana, or Oregon.

¹⁵ Arizona, Arkansas, Georgia, Illinois, Iowa, Missouri, Nebraska, New Mexico, Oklahoma, and Washington.

¹⁶ Arkansas, Delaware, Iowa, Minnesota, Texas, and Washington.

¹⁷ Alabama, Iowa, Louisiana, Missouri, Nebraska, New Mexico, New York, Oklahoma, Oregon, Tennessee, and Wyoming.

¹⁸ Delaware and Texas.

Alabama

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 26-10C-1

- The putative father may file prior to the child's birth, or within 30 days after the child's birth.
- Registration requires a completed Department of Human Resources form, signed by the putative father and notarized.

Information Contained in Registry/Claim

Statute: § 26-10C-1(a)

Name, social security number, date of birth, and address of the following:

- Any person adjudicated by a court, of this or another State, to be the father of the child
- Any person who has filed with the registry, before or after the birth of the child, a notice of intent to claim paternity of the child
- Any person who has filed with the registry an instrument acknowledging paternity pursuant to §§ 26-11-1 to 26-11-3

Revocation of Claim to Paternity

Statute: § 26-10C-1(d)

The putative father may at any time revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry

Statute: § 26-10C-1(f)

- The court handling the adoption
- Any court upon request
- Any person upon a court order for good cause

Alaska

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 25.23.100

- A putative father is entitled to receive notice of adoption proceedings.
- A reasonable investigation is made to assure that all persons entitled to notice are located and given notice of the adoption proceedings.

Information Contained in Registry/Claim

Statute: § 18.50.165

The State registrar shall provide a form for acknowledging paternity. The form must include:

- A statement that the man who signs the form is acknowledging that he is the natural father of the child and assumes the parental duty to support the child
- The address and social security number of both parents and the child
- The signature of a witness or notary public

Revocation of Claim to Paternity**Statute: § 18.50.165**

The acknowledgment may only be rescinded by the earlier of the two following dates:

- 60 days from the date of the person's signature
- The date of the initiation of an administrative or judicial procedure to establish support of the child

Access to Information Maintained in Registry

Not addressed in statutes reviewed

American Samoa

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Not addressed in statutes reviewed

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Arizona

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice**Statute: § 8-106.01(A)(B)**

- A putative father may file prior to the child's birth or within 30 days after the child's birth.
- Registration requires a completed Department of Health Services form, signed by the putative father.

Information Contained in Registry/Claim**Statute: § 8-106.01(B)**

- Name and address of the putative father and the birth mother
- The child's birth date, or probable month and year of expected birth

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry**Statute: § 8-106.01(B)**

- The court
 - The division
 - A licensed adoption agency or licensed attorney participating or assisting in a direct placement adoption
-

Arkansas**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice****Statute: §§ 20-18-702; 9-9-224**

- The putative father may file prior to the child's birth, or at anytime prior to the filing of a petition for adoption.
- A completed Department of Health form must be signed and acknowledged by the putative father and notarized.
- When information is contained in the registry at the time of the filing of the adoption petition, a copy of the petition is served on the registrant.

Information Contained in Registry/Claim**Statute: § 20-18-702**

- Name, address, and social security number of the birth mother, and any person who claims to be the father
- If the child has been born, the child's name, date and location of the birth, if known

Revocation of Claim to Paternity**Statute: § 20-18-703**

- The putative father must submit a signed and notarized statement that, to the best of his knowledge, he is not the father, or a court has adjudicated paternity to someone other than the registrant.
- Revocation shall be effective only after the child's birth.

Access to Information Maintained in Registry**Statute: § 20-18-704**

- The birth mother
- The child
- The registrant
- The Department of Human Services
- Attorneys involved in paternity, support, or adoption litigation
- The Office of Child Support Enforcement

California

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Fam. Code §§ 7662; 7663; 7666

- The putative father must bring an action declaring the existence of a father-child relationship within 30 days of service of the notice of adoption proceedings, or the birth of the child, whichever is later.
- To identify the natural father, the court shall cause an inquiry to be made of the birth mother and any other appropriate person.
- Notice must be given at least 10 days prior to a proceeding to every person identified as the natural father or a possible natural father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Colorado

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 19-5-105(2), (3), (5)

- To identify a birth parent, the court shall cause an inquiry to be made of the known parent and any other appropriate person.
- The putative father must file a paternity action within 30 days after the child's birth, or within 30 days after receiving notice that he is the father or likely father.
- The putative father must file an answer within 20 days after service of notice of termination proceedings.
- Notice of termination proceedings is given to every person identified as a birth parent or possible birth parent.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Connecticut

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 46b-172a; 45a-716

- Any person claiming to be the father may file at any time, but no later than 60 days after the date of notice of termination proceedings.
- The claimant may complete a form provided by the probate court.
- Notice of termination proceeding is given if the claimant:
 - Has been adjudicated the father
 - Has acknowledged in writing to be the father
 - Has contributed regularly to the child's support
 - Is named as the father on the child's birth certificate
 - Has filed a claim for paternity
 - Is named in the termination petition as the father of the child by the mother

Information Contained in Registry/Claim

Statute: § 46b-172a

- Name and address of the putative father
- The name and last-known address of the birth mother
- Month and year of the birth or expected birth of the child

Revocation of Claim to Paternity

Statute: § 46b-172(2)

The mother and acknowledged father have a right to rescind his acknowledgment of paternity in writing within 60 days prior to an order of support. An acknowledgment may be challenged after 60 days only on the basis of fraud, duress, or mistake.

Access to Information Maintained in Registry

Statute: § 46b-172a

Within 5 days, a copy of the father's claim is sent to birth mother or prospective birth mother.

Delaware

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 13, § 8-402

The putative father must register in the Registry of Paternity before the birth of the child or within 30 days after the birth of the child.

Information Contained in Registry/Claim

None specified in statutes reviewed

Revocation of Claim to Paternity

Statute: Tit. 13, § 8-413

A registrant may rescind his registration at any time by submitting a notarized statement to the registry.

Access to Information Maintained in Registry**Statute: Tit. 13, § 8-412**

Information in the registry is confidential and released on request only to:

- A court or person designated by the court
 - The mother of the child
 - An agency authorized to receive information
 - A licensed child-placing agency
 - A child support enforcement agency
 - A party to a case or the party's attorney
 - The registry of paternity in another State
-

District of Columbia**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 16-2357; 16-304; 16-2359**

- Notice of termination proceeding is given to both parents, a court appointed guardian, or licensed agency.
- If a parent is given proper notice and does not appear at the hearing, the judge may proceed without him or her.
- When a parent cannot be located, or has abandoned the prospective adopted person, and voluntarily failed to contribute to his or her support for a period of at least 6 months preceding the date of the filing of the petition, notice is not required.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Florida**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice****Statute: §§ 63.054; 39.803**

- The putative father must file a notarized claim of paternity form with the Putative Father Registry.
- The form may be filed at any time prior to the child's birth, or the filing of a petition for termination of rights.
- If the identity or location of a parent is unknown and a petition for termination of rights is filed, the court will conduct an inquiry.
- If a prospective parent is identified, he may complete a sworn affidavit of parenthood, which must be filed no later than at the time of or prior to the adjudicatory hearing in the termination proceeding.

Information Contained in Registry/Claim**Statute: § 63.054**

- Name, address, date of birth, and physical description of the putative father and the mother
- Date, place, and location of conception
- Name, date, and place of the child's birth, or estimated date of birth, if known

Revocation of Claim to Paternity**Statute: § 63.054**

- The putative father may execute a notarized written revocation of the claim of paternity at any time prior to the birth of the child.
- The claim of paternity is void upon receipt of the revocation by the Registry.

Access to Information Maintained in Registry**Statute: § 63.054**

Petitioner and court in a termination of parental rights or adoption proceeding

Georgia**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice****Statute: §§ 19-11-9(d)(2); 15-11-96**

- The putative father may acknowledge paternity before or after the birth of the child in a signed writing, or indicate the possibility of paternity without acknowledging paternity.
- The putative father must file a petition to legitimate the child within 30 days of receipt of notice of termination proceedings.
- Notice of termination proceeding is given if:
 - The putative father's identity is known to the petitioner or attorney.
 - Any of the following is true of the putative father: he is on the putative father registry, he lived with the child, he made any attempt to legitimate the child, or he provided support or medical care for the child's mother.

Information Contained in Registry/Claim**Statute: § 19-11-9(d)(1)**

- Name, address, and social security number of the biological, but not legal, father
- Date of registration

Revocation of Claim to Paternity**Statute: §§ 19-11-9(d)(4); 19-7-46.1**

- A voluntary acknowledgment of paternity may be rescinded:
 - Prior to the date of any support order or other adjudication
 - 60 days from the date of signing the acknowledgment
- After the 60-day rescission period, the acknowledgment may be challenged in court only on the basis of fraud, duress, or material mistake of fact.

Access to Information Maintained in Registry**Statute: § 19-11-9(e)**

- Governmental department, bureau, board, commission, agency, or political subdivision of any State
- The department
- Licensed child-placing agency
- Member of the Georgia Bar

Guam**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: Tit. 19, §§ 13306; 5119(e)**

- Any legal parent, natural parent, or other persons who are to be parties to termination proceedings are entitled to notice.
- Such person must attend proceedings or rights will be terminated.
- If the mother's rights are to be terminated, the putative father, if known, is entitled to notice and an opportunity to be heard with respect to his relationship with child.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Hawaii**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 584-6(a)(1); 571-61(b)**

- The putative father must file within 30 days after the child's birth if the mother relinquishes the child for adoption during the 30 day period.
- The putative father may file any time:
 - Prior to the date of the execution of a valid consent to the child's adoption by the mother
 - Prior to placement of the child with adoptive parents
 - No later than 3 years after the child reaches the age of majority
- If the court finds that good cause exists why notice should not be given, the court may terminate the rights of the putative father if:
 - The father is not the legal, adjudicated, or presumed father.
 - The father has not demonstrated a reasonable degree of interest in, or concern or responsibility for the child.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Idaho

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 16-1513(1), (2)

- May be filed prior to the child's birth, but must be filed prior to placement or the commencement of any proceeding to terminate the parental rights of the birth mother, whichever occurs first
- Requires a completed Department of Health and Welfare, Vital Statistics Unit form, signed by the putative father and notarized

Information Contained in Registry/Claim

Statute: § 16-1513(2)

- Name and address of the putative father and the birth mother
- The child's date of birth, or the probable month and year of expected birth

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Statute: § 16-1513(6)

Identities of putative fathers can only be released pursuant to procedures contained in Ch. 3, title 9, Idaho Code.

Illinois

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: 750 ILCS 50/12.1(b)

- The putative father may register before the birth of the child, but no later than 30 days after the child's birth.
- The registration must be in writing and signed by the putative father.

Information Contained in Registry/Claim

Statute: 750 ILCS 50/12.1(a)

- Name, any known alias, address, social security number, and date of birth of the putative father and the birth mother
- Name, gender, place of birth, and date of birth or anticipated date of birth of the child
- Date the Department of Children and Family Services received the putative father's registration
- Other necessary information

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Statute: 750 ILCS 50/12.1(c)

- The prospective adoptive parents
- The birth mother
- The child welfare agency
- The attorney representing a party

Indiana

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: §§ 31-19-5-12; 31-19-5-10

- The putative father may file before the child's birth, within 30 days after the child's birth, or within 30 days of the date of the filing of a petition for the child's adoption, whichever occurs later.
- Registration requires a completed Department of Health form, signed by the putative father and notarized.

Information Contained in Registry/Claim

Statute: § 31-19-5-7

- Name, address, social security number, and date of birth of the putative father and the birth mother
- The child's name and date of birth, if known
- Date registration received
- Name of the attorney or agency that requests a search of the registry
- Any other information deemed necessary

Revocation of Claim to Paternity

Statute: § 31-19-5-19

The putative father may revoke a registration at any time by submitting a signed, notarized statement to the Registry.

Access to Information Maintained in Registry

Statute: § 31-19-5-21

- The registrant
- The birth mother
- The child
- Any party or attorney in a pending adoption
- The attorney who represents prospective parents
- A licensed child-placing agency
- The court that presides over a pending adoption

Iowa

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 144.12A(2)(a)

The putative father may file prior to the child's birth, but no later than the date of the filing of the petition for termination of rights.

Information Contained in Registry/Claim

Statute: § 144.12A(3)

- Name, address, social security number, and any other identifying information requested of the putative father and birth mother
- Name, date of birth, and location of birth of the child, if known

Revocation of Claim to Paternity

Statute: § 144.12A(5)

- Information provided to the registry may be revoked by submission of a written statement, signed and acknowledged by the putative father and notarized, stating that to the best of his knowledge, he is not the father.
- Revocation nullifies the claim to paternity, and any information is expunged from the registry.
- Revocation is effective only after the child's birth.

Access to Information Maintained in Registry

Statute: § 144.12A(4)

- The birth mother
- The court
- The Department of Human Services
- The attorney of any party to an adoption or termination proceeding
- The Child Support Recovery Unit
- Any other person, upon order of the court for good cause shown

Kansas

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 59-2136

- Notice of termination proceeding is given to every person identified as the father or possible father.
- The court will determine if any man has formally or informally acknowledged or declared possible paternity.
- If the putative father fails to appear, or if appearing, fails to claim custodial rights, parental rights shall be terminated.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Kentucky

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 625.065

- The putative father is made a party, and is brought before the court in the same manner as any other party to a termination action if, prior to the final order in the termination proceeding, he acknowledges the child as his own by asserting paternity in the action, to the custodial agency, or the party bringing the action, within 60 days after the child's birth.
- Notice is also required if the mother identifies him, his name is on the birth certificate, or he has contributed to the financial support of the child.
- Only one of the requirements must be satisfied.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Louisiana

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: R.S. § 9:400; Ch. C. art. 1133 and 1137(A)

- The putative father may file before or after the child's birth.
- Registration requires a completed Department of Health and Hospitals, Office of Preventive and Public Health Services, form.
- Notice of the filing of the mother's surrender of the child is given to the putative father.
- The putative father may oppose an adoption by filing a declaration of intention, which must be filed within 15 days after service of notice of surrender, or from the time he was served with notice of adoption, if no surrender was filed or executed.

Information Contained in Registry/Claim
Statute: R.S. § 9:400 (A)(3)

Names and addresses of any person:

- Who was adjudicated by the court to be the father
- Who filed with the registry a declaration to claim paternity
- Who filed with the registry an acknowledgment by authentic act
- Who filed with the registry a legitimation by authentic act
- Who filed with the registry a judgment of filiation rendered by a court

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry
Statute: R.S. § 9:400

- Any court
- An authorized agency
- Any person upon order of court for good cause shown

Maine

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice
Statute: Tit. 18-A, § 9-201(d)

The putative father may file within 20 days after notice of adoption is given, or within a longer period of time as ordered by the judge.

Information Contained in Registry/Claim
Statute: Tit. 19, § 1616

A voluntary acknowledgment of paternity may be signed by both the mother and the putative father.

Revocation of Claim to Paternity
Statute: Tit. 19, § 1616

The voluntary acknowledgment may be rescinded within the earlier of 60 days or the date of a proceeding relating to the child, including a proceeding to establish a support order.

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Maryland

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Fam. Law §§ 5-322; 5-310

- The natural father is entitled to notice of the filing of an adoption petition.
- The natural father must acknowledge himself to be the father, orally or in writing, and the natural mother must agree that he is the father.
- The natural father must file notice of objection to an adoption within the time stated in the show cause order.
- Failure to receive a response to a petition filed by the local department within 30 days shall be deemed a negative response, if reasonable efforts were made to locate the putative father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Massachusetts

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Ch. 210 § 4A

- Notice of adoption proceedings is given to the father who has filed a parental responsibility claim with the Department of Social Services.
- Within 30 days of notice concerning the child's adoption, the person claiming paternity must file a petition for adoption or custody of the child with the probate court.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Statute: Ch. 210 § 4A

Notice of the filing of a claim of paternity is sent to the birth mother.

Michigan

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice**Statute: §§ 710.33(1); 710.34(1)**

- The putative father must file, under oath, a verified notice before the child's birth.
- The putative father must complete a Department of Public Health form.
- The birth mother may file an *ex parte* petition that requests the court to notify the putative father about his rights to file a notice to claim paternity.

Information Contained in Registry/Claim**Statute: § 710.33(1)**

Name and address of the putative father and the birth mother

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry**Statute: § 710.33(1)**Sent to the birth mother

Minnesota**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice****Statute: §§ 259.49(1)(b); 259.52, Subd. 7**

- The putative father may register any time before the birth of the child, but must register no later than 30 days after the child's birth.
- A putative father who has registered must file his intent to initiate a paternity action within 30 days after receiving notice from the adoption registry in order to preserve his rights to the child.

Information Contained in Registry/Claim**Statute: § 259.52(1)(b)**

- Name, any known alias, address, social security number, and date of birth of the putative father and the birth mother
- If applicable, a certified copy of a court order from another State adjudicating the putative father to be the father
- The child's name, gender, place of birth, and date or anticipated date of birth, if known
- Registration date
- Other information deemed necessary

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry**Statute: § 259.52(3)**

Information may be released to:

- A person who is required to search the registry prior to an adoptive placement
 - The mother of the child
 - A public authority responsible for child support enforcement
 - An attorney representing the birth mother or adoptive parents
-

Mississippi**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: § 93-17-5**

In the case of a child born out of wedlock, the father shall not have a right to object to an adoption unless he has demonstrated, within 30 days, a full commitment to being a parent.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in RegistryNot addressed in statutes reviewed

Missouri**Does State have a Putative Father Registry:** Yes**Registry/Paternity Requirements to Receive Notice****Statute: §§ 453.030; 192.016**

- The putative father may file prior to the child's birth, or within 15 days after the child's birth, a notice of intent to claim paternity or an acknowledgment of paternity form.
- Registration requires a completed Department of Health form.

Information Contained in Registry/Claim**Statute: § 192.016(1)**

Name and address of any person adjudicated by a court, in this or another State, to be the father, and who has filed with the registry before or after the child's birth

Revocation of Claim to Paternity**Statute: § 192.016(4)**

- The putative father may at anytime revoke a notice of intent to claim paternity.
- A revocation is effective upon receipt by the Registry.

Access to Information Maintained in Registry**Statute: §§ 192.016(6); 453.014**

- Any court
 - An authorized agency
 - Any other person upon court order for good cause shown.
 - The Department of Social Services, Division of Family Services
 - A child-placing agency
 - The child's parents
 - An intermediary (attorney, physician, or parents' clergy)
-

Montana**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice****Statute: §§ 42-2-206; 42-2-205(3)**

A putative father:

- May file prior to the child's birth, but no later than 72 hours after the child's birth
- May file even if he has no actual knowledge that a pregnancy has occurred
- May complete the department form or submit a signed and notarized statement with the required information

Information Contained in Registry/Claim**Statute: §§ 42-2-205(1); 42-2-215**

- Name, address, social security number, and date of birth of the putative father and the birth mother
- The putative father's tribal affiliation, if applicable
- The child's name and place of birth, if known, or approximate date and location of possible conception and expected delivery date
- Date of registration
- Name and affiliation of person requesting registry information
- Other information deemed necessary

Revocation of Claim to Paternity**Statute: § 42-2-223**

Unless a support order is issued, the putative father may revoke registration at any time by submitting a signed, notarized statement.

Access to Information Maintained in Registry**Statute: § 42-2-217(1)**

- A department representative
- An adoption agency
- The prospective adoptive parents or their attorney
- Any woman who is the subject of a registration

Nebraska

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 43-104.02

- The putative father may file within 5 business days after the child's birth, within 5 business days after receipt of notice of adoption proceedings, or within 5 business days after the last date of any published notice, whichever is later.
- The putative father must complete a Department of Health and Human Services Finance and Support form.

Information Contained in Registry/Claim

Statute: § 43-104.01(1)

Names and addresses of:

- Any person adjudicated by a court, of this or another State, to be the father
- Any person who has filed with the registry, prior to notification, a paternity claim
- Any person who has filed with the registry a notice of intent to claim paternity and obtain custody

Revocation of Claim to Paternity

Statute: § 43-104.01(3)

A putative father may revoke a paternity claim for notification purposes or a notice of intent to claim paternity and obtain custody.

Access to Information Maintained in Registry

Statute: § 43-104.01(4)-(5)

- The Department of Correctional Services
- The Department of Health and Human Services
- The Department of Health and Human Services Regulation and Licensure
- Any person authorized by law or upon court order for good cause shown

Nevada

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 128.085; 128.150

- The putative father, if known, is served with notice of termination proceedings. The hearing is not held until the child's birth, or 6 months after the filing of the petition, whichever is later.
- The putative father must appear at the proceeding and claim custodial rights.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

New Hampshire

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 170-B:6 *[Effective January 5, 2005]*

- The putative father may file before the child's birth, but shall file prior to the birth mother's parental rights being surrendered or involuntarily terminated.
- The putative father must complete an Office of Child Support Services form.
- The putative father has 30 days from the date of notice to request a hearing to prove that he is the father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

New Jersey

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 9:3-45; 9:3-45.1

- The putative father may file written objections within 20 days of receipt of notice of adoption proceedings in the case of a resident, or within 35 days if a nonresident.
- The putative father is entitled to notice if within 120 days of the child's birth, or prior to the date of a preliminary hearing (whichever occurs first), he has acknowledged paternity by amending the birth certificate or filing a paternity action in court.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

New Mexico

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 32A-5-20(B)(2)

The putative father may file a notice of intent to claim paternity before or after the child's birth.

Information Contained in Registry/Claim

Statute: § 32A-5-20(B)

Name and address of any person:

- Adjudicated by a court, in this or another State, to be the father
- Who has filed a paternity claim or an instrument acknowledging paternity
- Who has filed with the registry before or after the birth of a child out-of-wedlock, a notice of intent to claim paternity of the child

Revocation of Claim to Paternity

Statute: § 32A-5-20(E)

The putative father may at anytime revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry

Statute: § 32A-5-20(H)

- Any court
- The Department of Health
- The petitioner's attorney
- An agency
- The birth mother
- Any other person upon court order for good cause

New York

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: Soc. Serv. Law § 372-c(1)

The putative father may file an intent to claim paternity prior to or after the child's birth.

Information Contained in Registry/Claim

Statute: Soc. Serv. Law § 372-c(1)

Names and addresses of any person:

- Adjudicated by a court, of this or another State, to be the father
- Who has filed with the registry a notice of intent to claim paternity, or an instrument acknowledging paternity

Revocation of Claim to Paternity

Statute: Soc. Serv. Law § 372-c(3)

The putative father may at anytime revoke a notice of intent to claim paternity.

Access to Information Maintained in Registry**Statute: Soc. Serv. Law § 372-c(5)**

- Any court
 - An authorized agency
 - Any other person upon a court order for good cause shown
-

North Carolina**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 48-2-206(a), (c); 48-2-401**

The putative father:

- Must file within 15 days of receiving notice of the mother's intent to place the child for adoption
- Is not entitled to further notice of adoption proceedings if he fails to respond
- Must file a response to an adoption petition within 30 days after service of notice

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in RegistryNot addressed in statutes reviewed

North Dakota**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 14-17-23; 14-17-24**

- If the mother relinquishes or proposes to relinquish the child for adoption, the birth father is given notice if:
 - He is a presumed father
 - He is a father whose relationship to the child has been determined by a court
 - He is a father to whom the child is a legitimate child under law
- To identify the biological father (if need be), the court will cause an inquiry to be made. If the biological father is identified to the court's satisfaction, he is given notice of termination proceedings.
- The birth father must appear and claim custodial rights.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to PaternityNot addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Northern Mariana Islands

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 8, §§ 1404; 1405

The natural father is entitled to notice of adoption proceedings if he has demonstrated a reasonable degree of interest, concern, or responsibility as to the welfare of the child, either:

- During the first 30 days after the child's birth
- Prior to the execution of a valid consent to adoption by the birth mother
- Prior to the placement of the child with adoptive parents, whichever period of time is greater

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Ohio

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: § 3107.062

- The putative father may file before the child's birth, or within 30 days after the child's birth.
- Registration requires a completed Department of Job and Family Services form.

Information Contained in Registry/Claim

Statute: § 3107.062

- The putative father's name, and address or phone number
- The birth mother's name
- Date of receipt of form

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry**Statute: § 3107.063**

- The birth mother
 - An agency
 - An attorney arranging the adoption of the child
-

Oklahoma**Does State have a Putative Father Registry: Yes****Registry/Paternity Requirements to Receive Notice****Statute: Tit. 10, § 7503-3.1(I)**

- Before or after the child's birth, the putative father may receive a Notice of Plan for Adoption (formal notice that the mother is considering adoption).
- He must complete the enclosed preaddressed form within 30 days from the date that the Plan for Adoption was served.

Information Contained in Registry/Claim**Statute: Tit. 10, § 7506-1.1(D)**

- Name, address, social security number, and date of birth of the putative father and the birth mother
- The putative father's tribal affiliation
- The child's name, date, and place of birth, or probable month and year of expected birth
- Date the putative father registered
- The name of the attorney or child-placing agency requesting a search of the registry, and the date of the request
- If registration is based upon adjudication by the court:
 - The case number
 - The name of the court
 - Date of the order, judgment, or decree
 - A copy of the order, judgment, or decree
- Any other necessary information

Revocation of Claim to Paternity**Statute: Tit. 10, § 7506-1.2(A)**

The putative father may revoke a notice of intent to claim paternity at anytime by submitting a signed, notarized statement.

Access to Information Maintained in Registry**Statute: Tit. 10, § 7506-1.1(I)**

- Any court
 - An authorized agency
 - Any other person deemed necessary to receive such information by the Department of Human Services
 - Any other person who can show good cause to access information
-

Oregon**Does State have a Putative Father Registry: No**

Registry/Paternity Requirements to Receive Notice**Statute: § 109.096**

- The putative father must file notice of the initiation of filiation proceedings prior to child's being placed in the physical custody of a person for the purpose of adoption.
- If paternity is not established, the putative father is entitled to notice of adoption proceedings if the petitioner knows, or should have known, that:
 - The child resided with the putative father at any time during 60 days immediately preceding the initiation of the proceeding, or at any time since the child's birth if the child is less than 60 days old when the proceeding is initiated.
 - The putative father has repeatedly contributed or tried to contribute to the support of the child during the year immediately preceding the initiation of the proceeding, or during the period since the child's birth if the child is less than 1 year old when the proceeding is initiated.
- The putative father must file with the Center for Health Statistics of the Health Division of the Department of Human Services.

Information Contained in Registry/Claim**Statute: § 109.225(1)**

A notice sent to the Center for Health Statistics, Department of Human Services, shall include:

- The full name and address of the child
- The date and place of the child's birth, or if the child is not yet born, the date and place of the child's conception and the probable date of birth
- The full names and addresses of the child's alleged parents

Revocation of Claim to Paternity**Statute: § 109.070(2)**

- A party to a voluntary acknowledgment of paternity may rescind the acknowledgment within the earlier of:
 - 60 days after filing
 - The date of a proceeding relating to the child
- Any time after the 60-day period, the acknowledgment may be challenged on the basis of fraud, duress, or material mistake of fact.
- No challenge to the voluntary acknowledgment may be allowed after 1 year unless the results of genetic testing exclude the person as a possible father.

Access to Information Maintained in Registry**Statute: § 109.225(2)**

The information contained in the notice to the Center for Health Statistics shall be provided to:

- The persons whose names appear in the notice
- Persons or agencies with a legitimate interest in the parent-child relationship, including parties to an adoption

Pennsylvania

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice**Statute: 23 Pa. §§ 2513; 5103**

- At least 10 days notice of a termination proceeding shall be given to the putative father if he has filed a claim of paternity prior to the institution of proceedings.
- The putative father of the child must complete Department of Public Welfare form.
- If the mother's consent is not given, the putative father is entitled only to notice of termination proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity**Statute: 23 Pa. § 5103**

- The putative father may rescind acknowledgment of paternity within the earlier of the following:
 - 60 days
 - The date of an administrative or judicial proceeding relating to the child
- After the expiration of 60 days, an acknowledgment of paternity may not be rescinded, but may be challenged in court only on the basis of fraud, duress, or material mistake of fact.

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Puerto Rico**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: Tit. 32, §§ 2699c; 2699d; 2699g(h)**

- The biological parents are entitled to notice of adoption proceedings. If the whereabouts of a parent are unknown, or if the parent is outside of Puerto Rico, notice shall be published.
- Parents have 15 days from the date the notice is served or received to respond to the adoption petition.
- If the parents fail to attend the hearing for the first appearance, the court may decree the adoption without further summons or hearing.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Rhode Island**Does State have a Putative Father Registry:** No

Registry/Paternity Requirements to Receive Notice**Statute: § 15-7-26**

- The putative father must appear at the adoption proceedings and claim rights to the child.
- The putative father is given notice of the adoption proceedings if he is identified to the satisfaction of the court.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in RegistryNot addressed in statutes reviewed

South Carolina**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 20-7-1734; 20-7-1690**

- The putative father is entitled to notice of adoption proceedings.
- The putative father must file notice and reasons to contest, intervene, or otherwise respond within 30 days of receiving notice of adoption proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in RegistryNot addressed in statutes reviewed

South Dakota**Does State have a Putative Father Registry:** No**Registry/Paternity Requirements to Receive Notice****Statute: §§ 25-6-1.1; 25-6-1**

Within 60 days of the child's birth, the putative father must acknowledge paternity through one or more of these actions:

- Publicly acknowledging the child as his own and receiving the child into his family
- Placing his name on the child's birth certificate
- Commencing a judicial proceeding claiming a parental right

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Tennessee

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: §§ 36-2-318(e)(3); 36-2-318(j)

- The putative father may file a notice of intent to claim paternity prior to the child's birth or within 30 days after the child's birth.
- The putative father must file a complaint for parentage within 30 days from the receipt of notice of adoption proceedings.

Information Contained in Registry/Claim

Statute: § 36-2-318(e)

- Name and address of the putative father, the child, and the birth mother for whom an order of parentage has been entered, and those for whom the registrar has a record that any acknowledgment of parentage was executed.
- Names of persons who have filed a notice of intent to claim paternity
- Names of persons who have been adjudicated by any court to be the father of a child born out of wedlock
- Names of persons who have filed with the registry of this or any other State an acknowledgment of paternity
- Any other information that identifies the child or the child's whereabouts

Revocation of Claim to Paternity

Statute: § 36-2-318(g)

- The putative father may revoke a notice of intent to claim parentage at anytime in writing.
- A revocation is effective as of the date it is filed.

Access to Information Maintained in Registry

Statute: § 32-2-318(h)

Any notice of intent to claim paternity may be used as evidence by any other party in any proceeding in which the parentage of a child may be relevant.

Texas

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice**Statute: Fam. Code §§160.402(a); 160.312**

- The putative father may file before the child's birth, but no later than the 31st day after the child's birth.
- Registration requires a completed Bureau of Vital Statistics form, signed and acknowledged by the putative father.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity**Statute: Fam. Code § 160.414**

The putative father may at anytime revoke a notice of intent to claim paternity by submitting a written statement which has been signed and notarized.

Access to Information Maintained in Registry**Statute: Fam. Code § 160.412**

- The birth mother
- A court
- An authorized agency
- A licensed child-placing agency
- A child support enforcement agency
- An attorney involved in the case
- The Registry of another State

Utah**Does State have a Putative Father Registry: No****Registry/Paternity Requirements to Receive Notice****Statute: § 78-30-4.13(3)(a); (5)**

- The putative father is entitled to actual notice of a birth or adoption proceeding.
- The putative father may initiate proceedings to establish paternity prior to the child's birth, the mother's execution of consent, or her relinquishment of the child to an agency.
- The putative father may file notice that he has initiated paternity proceedings with the State Registrar of Vital Statistics, Department of Health.
- The putative father must respond to notice of an adoption petition within 30 days, or waive any future right of notice.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Vermont

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 15A, §§ 3-503; 3-404

- The putative father must file a claim of paternity within 20 days after notice of termination proceedings, unless a claim of paternity is pending.
- Reasonable efforts are made to identify and notify the biological father. This may include inquiries of appropriate persons.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Virgin Islands

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: Tit. 16, §§ 142; 143

- Parents are entitled to notice of adoption proceedings.
- If a parent is not found in the Virgin Islands, notice is published.
- A parent who has not had personal notice before the hearing of a petition for adoption, may at any time within 1 year after actual notice, apply to the court for a *de novo* hearing.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Virginia

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 63.2-1202; 63.2-1222

The putative father must object to adoption proceedings within 21 days of the mailing of the notice of such proceedings.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Washington

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 26.26.320; 26.33.110

- A man claiming to be the father of a child may sign an acknowledgment of paternity with the intent to establish paternity.
- The putative father must file a claim of paternity or respond to the petition for termination of rights within 20 days of the date of service of the petition if served within the State, or 30 days if served outside of the State.

Information Contained in Registry/Claim

Statute: § 26.26.305

The acknowledgment of paternity must:

- Be in a record
- Be signed by the mother and the man seeking to establish paternity
- State that the child whose paternity is being acknowledged does not have another presumed or adjudicated father
- State whether there has been genetic testing and whether the claim to paternity is consistent with the results of the testing

Revocation of Claim to Paternity

Statute: §§ 26.26.330; 26.26.335

- A signatory may rescind an acknowledgment of paternity by commencing a court proceeding to rescind before the earlier of 60 days of the effective date of the acknowledgment or the date of the first hearing to which the signatory is a party to adjudicate an issue related to the child.
- After the period of rescission has elapsed, a signatory may challenge an acknowledgment only on the basis of fraud, duress, or material mistake of fact, within 2 years after the acknowledgment has been filed.

Access to Information Maintained in Registry

Statute: § 26.26.360

The State registrar of vital statistics may release the information relating to an acknowledgment of paternity to:

- A signatory of the acknowledgment or his or her attorney of record
- The courts of this or any other State
- The agencies of this or another State operating a child support program
- The agencies of this or another State involved in a dependency determination for a child named in the acknowledgment

West Virginia

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: §§ 48-22-601(a); 49-3-1(b)(3)

- The putative father is entitled to notice of adoption proceedings if he is claiming to be the father, and his paternity of the child has been established.
- Notice also is given to a putative father who has asserted or exercised parental rights and duties within 6 months of the child's birth, if he knew the whereabouts of the child.

Information Contained in Registry/Claim

Not addressed in statutes reviewed

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Not addressed in statutes reviewed

Wisconsin

Does State have a Putative Father Registry: No

Registry/Paternity Requirements to Receive Notice

Statute: § 48.025(2)

- The putative father may file a declaration of parental interest at any time, except after termination of the putative father's parental rights.
- The declaration must be in writing and signed by the putative father.

Information Contained in Registry/Claim

Statute: § 48.025(2)

The declaration must include:

- The name and address of the putative father and birth mother
- The month and year of the child's birth or expected birth
- A statement that the individual has reason to believe that he may be the child's father

Revocation of Claim to Paternity

Not addressed in statutes reviewed

Access to Information Maintained in Registry

Statute: § 48.025(3)

Sent to the birth mother

Wyoming

Does State have a Putative Father Registry: Yes

Registry/Paternity Requirements to Receive Notice

Statute: §§ 1-22-117; 1-22-108(c)(ii), (d)

- The putative father may file, before or after the child's birth, a notice of intent to claim paternity.
- The putative father may file an instrument acknowledging paternity.
- A putative father having knowledge of the birth or pending birth must evidence an interest in and responsibility for the child within 30 days after receiving notice of the child's birth or pending birth.
- The putative father has no right to assert paternity in termination proceedings unless one or more of the following statements is true:
 - He is known by the mother or agency.
 - He lived with or married the mother after the child's birth and prior to the filing of the adoption petition.
 - He has acknowledged the child as his own.
 - He has registered as a putative father.

Information Contained in Registry/Claim

Statute: § 1-22-117(a)

Name and address of any person who has:

- Been adjudicated by a Wyoming court to be the father
- Filed with the registry, before or after the child's birth, a notice of intent to claim paternity
- Been adjudicated by a court of another State or territory to be the father
- Filed with the registry an instrument acknowledging paternity

Revocation of Claim to Paternity

Statute: § 1-22-117(c)

The putative father may at any time revoke a notice of intent to claim paternity that was previously filed.

Access to Information Maintained in Registry

Statute: § 1-22-117(e)

- Any court
- An authorized agency
- Any person upon order of a court for good cause shown